

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
:  
IN RE BANK OF AMERICA CORP. : Master File No. 09 MD 2058 (PKC)  
SECURITIES, DERIVATIVE, AND :  
EMPLOYEE RETIREMENT INCOME : ECF CASE  
SECURITY ACT (ERISA) LITIGATION :  
:  
----- X  
:  
THIS DOCUMENT RELATES TO: :  
:  
:  
The Consolidated Securities Action :  
----- X

**DECLARATION OF HANNAH G. ROSS  
IN SUPPORT OF PLAINTIFFS'  
OMNIBUS OPPOSITION TO DEFENDANTS'  
MOTIONS FOR SUMMARY JUDGMENT**

I, HANNAH G. ROSS, hereby declare as follows:

1. I am a partner in the law firm of Bernstein Litowitz Berger & Grossmann LLP, Co-Lead Counsel for Plaintiffs. I respectfully submit this Declaration in Support of Plaintiffs' Omnibus Opposition to Defendants' Motions for Summary Judgment.
2. Attached hereto are true and correct copies of the following:

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
1	Excerpts from the Deposition of Gregory Curl, dated January 22, 2012
2	Plaintiffs' Exhibit 94 (Bank of America Corp. Form 8-K, filed September 18, 2008)
3	Plaintiffs' Exhibit 139 (BAC-ML-NYAG00000280-UR-301-UR)
4	Excerpts from the Deposition of John Thain, dated March 22, 2012

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
5	Plaintiffs' Exhibit 534 (John Thain's Remarks to Wharton Business School entitled "It's Unfortunate That the American Dream Has Been Demonized")
6	Excerpts from the Deposition of Gregory Fleming, dated February 23, 2012
7	Plaintiffs' Exhibit 279 (Merrill Lynch & Co., Inc. 2008 Annual Report on Form 10-K, filed February 24, 2009)
8	Plaintiffs' Exhibit 560 (BAC-ML-NYAG00000111-131)
9	Excerpts from the Deposition of Peter Stingi, dated March 23, 2012
10	Plaintiffs' Exhibit 608 (BAC-502-SS-R 00002702-C-712-C)
11	Plaintiffs' Exhibit 51 (UR-BAC-ML-NYAG00003747-761)
12	Excerpts from Deposition of Tommy Franks in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated October 17, 2009
13	Excerpts from the Deposition of Kenneth Lewis, dated March 27, 2012
14	Joint Definitive Proxy filed by Bank of America Corp. and Merrill Lynch & Co., Inc., filed November 3, 2008
15	Bank of America Corp. Press Release, dated September 15, 2008 (BAC-ML-NYAG10069116-120)
16	Plaintiffs' Exhibit 584 (BAC-ML-NYAG00309887-899)
17	Plaintiffs' Exhibit 138 (BAC-ML-NYAG00400443-534)
18	Excerpts from the Deposition of Jeffrey Crandall, dated January 12, 2012
19	Excerpts from the Deposition of Nicholas Demmo, dated March 5, 2012
20	Excerpts from the Deposition of Jeffrey Crandall in <i>SEC v. Bank of America</i> , dated November 30, 2009

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
21	Excerpts from the Deposition of Rosemary Berkery in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated September 23, 2009
22	Excerpts from the Deposition of John Thain in <i>SEC v. Bank of America</i> , dated November 4, 2009
23	Excerpts from the Deposition of John Thain in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated February 19, 2009
24	Excerpts from the Deposition of Richard Alsop, dated December 22, 2011
25	Excerpts from the Deposition of Richard Alsop in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated November 5, 2009
26	Excerpts from the Deposition of Rosemary Berkery in <i>SEC v. Bank of America</i> , dated December 9, 2009
27	Excerpts from the Deposition of Timothy Mayopoulos in <i>SEC v. Bank of America</i> , dated December 1, 2009
28	Plaintiffs' Exhibit 96 (Congressional Testimony of Timothy Mayopoulos)
29	Excerpts from Bank of America Corp. Form S-4 Registration Statement, filed October 2, 2008
30	Bank of America Corp. Form S-4A Amended Registration Statement, filed October 22, 2008
31	Bank of America Corp. Form S-4A Amended Registration Statement, filed October 29, 2008
32	Excerpts from the Deposition of Kenneth D. Lewis in <i>SEC v. Bank of America</i> , dated October 30, 2009
33	Excerpts from the Deposition of Charles Gifford in <i>SEC v. Bank of America</i> , dated December 18, 2009
34	Excerpts from the Deposition of John Collins in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated October 20, 2009

<u><b>Exhibit</b></u>	<u><b>Description</b></u>
35	Excerpts from the Deposition of Thomas May in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated October 22, 2009
36	Excerpts from the Deposition of Thomas May in <i>SEC v. Bank of America</i> , dated December 18, 2009
37	Bank of America Corp. Form 8-K, filed November 21, 2008
38	Bank of America Corp. Form 425, filed November 26, 2008
39	Plaintiffs' Exhibit 567 (BAC-ML-NYAG 80003755-795)
40	Plaintiffs' Exhibit 588 (BAC-ML-NYAG-502-00064523-597)
41	Excerpts from the Deposition of Neil Cotty, dated March 15-16, 2012
42	Excerpts from the Deposition of Joe Price, dated April 5-6, 2012
43	Excerpts from the Deposition of Timothy Mayopoulos, dated March 30, 2012
44	Plaintiffs' Exhibit 121 (BAC-502-WLRK 00005297-455)
45	Plaintiffs' Exhibit 287 (BAC-502-WLRK 00006872)
46	Excerpts from the Deposition of Eric Roth, dated February 16, 2012
47	Plaintiffs' Exhibit 288 (BAC-502-WLRK 00006873-81)
48	Excerpts from the Deposition of Timothy Mayopoulos in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated October 30, 2009
49	Excerpts from the Deposition of Teresa Brenner in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated November 11, 2009
50	Plaintiffs' Exhibit 339 (BAC-ML-NYAG-502-00064648)

<u><b>Exhibit</b></u>	<u><b>Description</b></u>
51	Excerpts from the Deposition of Nicholas Demmo in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated November 5, 2009
52	Excerpts from the Deposition of Nicholas Demmo in <i>SEC v. Bank of America</i> , dated November 16, 2009
53	Plaintiffs' Exhibit 16 (BAC-ML-NYAG-502-00001101)
54	Plaintiffs' Exhibit 208 (BAC-ML-NYAG-502-00001102-103)
55	Plaintiffs' Exhibit 257 (BAC-ML-NYAG-502-00001099-100)
56	Excerpts from the Deposition of Timothy Mayopoulos in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated August 25, 2009
57	Excerpts from the Deposition of Edward Herlihy in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated October 21, 2009
58	Kenneth D. Lewis's Amended Responses and Objections to Lead Plaintiffs' First Interrogatory to Defendants, dated December 5, 2011
59	Plaintiffs' Exhibit 565 (BAC-ML-CL00841868-871)
60	Excerpts from the Deposition of Peter Kraus, dated January 18, 2012
61	Plaintiffs' Exhibit 154 (BAC-ML-NYAG70003861-863)
62	Plaintiffs' Exhibit 328 (BAC-ML-NYAG00000052-055)
63	Plaintiffs' Exhibit 557 (BAC-SEC-LIT00001019-022)
64	Excerpts from the Deposition of John Finnegan, dated February 28, 2012
65	Email from Robert Qutub to Joe Price re Fw: Year End Incentives, dated November 12, 2008 (BAC-ML-NYAG10001800-01)
66	Plaintiffs' Exhibit 332 (BAC-SEC-LIT00161314-345)

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
67	Merrill Lynch & Co., Inc. Proxy Statement on Form DEF 14A, filed March 14, 2008
68	Merrill Lynch & Co., Inc. Employee Benefit Plan on Form S-8, filed May 29, 2008
69	Merrill Lynch & Co., Inc. Employee Benefit Plan on Form S-8, filed May 15, 2007
70	Excerpts from the Deposition of Andrea Smith in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated February 12, 2009
71	Plaintiffs' Exhibit 300 (BAC-ML-NYAG10034629)
72	Excerpts from the Deposition of Thomas May, dated December 21, 2011
73	Excerpts from the Deposition of Charles Gifford, dated December 8, 2011
74	Bank of America Corp. Index of Fourth Quarter Board Meetings and Calls (BAC-ML-NYAG00288073-078)
75	Minutes of the Special Meeting of the Bank of America Corp. Board of Directors, dated September 19, 2008 (BAC-ML-NYAG00003762-772)
76	Plaintiffs' Exhibit 60 (BAC-ML-NYAG00288040-042)
77	Plaintiffs' Exhibit 61 (BAC-ML-NYAG00287713-715)
78	Plaintiffs' Exhibit 62 (BAC-ML-NYAG00003773-787)
79	Plaintiffs' Exhibit 64 (BAC-ML-CL00023661-663)
80	Plaintiffs' Exhibit 66 (BAC-ML-CL00042071-088)
81	Plaintiffs' Exhibit 68 (BAC-ML-NYAG00003809-UR-830-UR)
82	Plaintiffs' Exhibit 70 (BAC-ML-NYAG00287707-709)
83	Plaintiffs' Exhibit 135 (UR-BAC-ML-DE00009948-950)

<u>Exhibit</u>	<u>Description</u>
84	Excerpts from Deposition of Joe Price in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated October 29, 2009
85	Handwritten notes of General Tommy Franks from the Voluntary Telephone Conference of the Board held on November 21, 2008 (BAC-DIR-SDNY00000180-182)
86	Excerpts from Deposition of Charles Gifford in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated November 24, 2009
87	Excerpts from the Deposition of J. Steele Alphin, dated January 13, 2012
88	Plaintiffs' Exhibit 164 (BAC-ML-NYAG00813422-429)
89	Bank of America Corp. Form 8-K, filed January 16, 2009
90	Plaintiffs' Exhibit 309 (BAC-ML-NYAG01186601-608)
91	Betsy L. Graseck and Cheryl M. Pate, "Banking - Large Cap Banks: Marking to Market 4Q08," <i>Morgan Stanley</i> , December 7, 2008
92	Excerpts from the Deposition of Elizabeth Graseck, dated October 3, 2011
93	Excerpts from the Deposition of Allen Ferrell, dated October 13, 2011
94	Excerpts from Ferrell Exhibit 2 (Allen Ferrell, Jennifer E. Bethel, and Gang Hu, "Law and Economic Issues in Subprime Litigation," <i>Harvard Law School Economics and Business Discussion Papers</i> , March 21, 2008)
95	Memorandum of Law in Support of the Motion of Defendants Merrill Lynch & Co., Inc., <i>et al.</i> to Dismiss the Consolidated Amended Class Action Complaint and to Strike Certain Allegations in <i>In re Merrill Lynch &amp; Co., Inc. Securities, Derivative and ERISA Litig.</i> , S.D.N.Y. 07-cv-9633, dated July 21, 2008
96	Expert Rebuttal Report of Chad Coffman, dated April 29, 2012
97	Ben Logan, "The ABX index: A Pricing Conundrum," <i>RISK MAGAZINE</i> , May 2008

<u><b>Exhibit</b></u>	<u><b>Description</b></u>
98	Expert Report of Allen Ferrell, dated September 16, 2011
99	Andred Marquardt, "Upgrading to Outperform on MER Deal; Valuation Attractive," <i>Fox-Pitt Kelton Cochran Caronia Waller</i> , January 5, 2009
100	Expert Report of Chad Coffman, CFA, dated March 16, 2012
101	Keith Horowitz, Steve Foundos, and Craig Singer, "Bank of America Corp. (BAC): Near Term Remains a Challenge, But BAC Can Weather the Storm," <i>Citigroup Global Markets</i> , January 11, 2009 (BAC-ML-NYAG 00765012-033)
102	Excerpts from the Deposition of Chad Coffman, dated May 24, 2012
103	Plaintiffs' Exhibit 219 (BAC-ML-NYAG10136357-358)
104	Excerpts from the Deposition of Brian Moynihan, dated March 9, 2012
105	"The Crisis and the Policy Response," Remarks by Ben S. Bernanke at the London School of Economics on January 13, 2009
106	Julia Werdigier and Edmund L. Andrews, "Stimulus Alone Won't End Crisis, Bernanke Says," <i>The New York Times</i> , January 13, 2009
107	Maya Jackson Randall, "UPDATE: Bernanke: More Policy Measures Needed to Revive Econ," <i>DowJones Newswires</i> , January 13, 2009
108	"The Crisis and the Policy Response," Remarks by Ben S. Bernanke at the London School of Economics on January 13, 2009 from Federal Reserve Website available at <a href="http://www.federalreserve.gov/newsevents/speech/bernanke20090113a.htm">http://www.federalreserve.gov/newsevents/speech/bernanke20090113a.htm</a>
109	Plaintiffs' Exhibit 384 (BAC-ML-NYAG10190049)
110	Email from Robert Stickler to Joe Price re: info may be leaking, dated January 14, 2009 (BAC-ML-NYAG10003725)
111	Dan Fitzpatrick, Damian Paletta and Susanne Craig, "U.S. Negotiating Extending More Aid To Bank Of Amer," <i>Wall Street Journal</i> , January 14, 2009 (LC-COFFMAN00000167-168)
112	Bank of America Corp. Press Release, dated December 3, 2008



<u>Exhibit</u>	<u>Description</u>
113	Email from Allison Gilliam to Bank of America Board, et al. re 1/16/09 Special Board Meeting, dated January 12, 2009 (BAC-DIR-SDNY00003476)
114	Email from Alice Herald to Bank of America Board of Directors, et al. re Special Meeting of the Board of BAC 5:00PM EST Today, Thursday 1/15/09, dated January 15, 2009 (BAC-ML-NYAG10054211)
115	Bank of America Corp. Press Release, dated January 15, 2009
116	Plaintiffs' Exhibit 85 (BAC-ML-NYAG-502-00001729-749)
117	Plaintiffs' Exhibit 223 (Bank of America Corp. Form 8-K, filed January 16, 2009)
118	Bank of America Corp. Conference Call Transcript, dated January 16, 2009
119	Plaintiffs' Exhibit 646 (Richard Ramsden, Brian Foran, Anna Justina Hierta, and Quan Mai, "COMMENT: Bank of America Corporation (BAC) \$8.32," <i>Goldman Sachs</i> , January 16, 2009)
120	David A. George, Michael C. Behan, and Garrett A. Holland, "Bank of America (BAC): Q4 Follow-up; Thundering Herd Takes Its Toll, Downgrading, Cutting Estimated," <i>Robert W. Baird &amp; Co.</i> , January 20, 2008 (BAC-ML-NYAG10047069-079)
121	Paul J. Miller, Bob Ramsey, and Annette Franke, "BAC Disappoints, Tangible Common Equity Ratio Drops To 2.6%, Target to \$5," <i>FBR Capital Markets</i> , January 20, 2009
122	Dan Fitzpatrick, Deborah Solomon, and Susanne Craig, "Crisis on Wall Street - Bank Stress: BofA's Latest Hit - Treasury to Inject \$20 Billion More; Stock at 1991 Level," <i>Wall Street Journal</i> , January 16, 2009
123	Plaintiffs' Exhibit 168 (Greg Ferrell and Julie Macintosh, "Merrill Delivered Bonuses Before BofA Deal," <i>Financial Times</i> , January 21, 2009)
124	Greg Chang, "Merrill Lynch & Co. Paid Bonuses Ahead of Sale, FT Reports," <i>Bloomberg News</i> , January 21, 2009
125	Joseph A. Giannone, "Merrill Paid Bonuses Early As BofA Deal Closed- FT," <i>Reuters</i> , January 21, 2009 (LC-COFFMAN00000421)

<u><b>Exhibit</b></u>	<u><b>Description</b></u>
126	"Merrill Preceded BofA Sale With Early Bonuses Payouts- Report," <i>Dow Jones International News</i> , January 21, 2009 (BAC-ML-CL00037101)
127	"Cuts Begin at Bank of America Merrill Lynch," <i>Dow Jones International News</i> , January 22, 2009 (BAC-ML-NYAG00291581-582)
128	Ferrell Exhibit 24 (Andrew Ross Sorkin, "Merrill Reportedly Paid Bonuses Early as Merger Closed," <i>New York Times DealBook</i> , January 22, 2009)
129	Heidi N. Moore, "NY AG Probing Merrill's 11th-Hour Bonuses - Source," <i>DowJones Newswires</i> , January 22, 2009
130	"Merrill Paid Bonuses Before Being Bought: FT," <i>Reuters</i> , January 22, 2009
131	David Gaffen, "WSJ BLOG/Market Beat: Thain To Leave BofA; Shrs Hit 52-Wk Low," <i>DowJones Newswires</i> , January 22, 2009
132	Helen Kennedy, "Are You In-Thain? He Spends Huge in a Crisis Merrill CEO Gets Boot As Losses Grow," <i>New York Daily News</i> , January 23, 2009
133	"It's Not Their Money," <i>New York Times</i> , January 23, 2009
134	Rachel Beck, "Bank of America CEO under fire," <i>Associated Press</i> , January 23, 2009
135	Stephen Bernard, "Former Merrill Chief Thain Out at Bank of America," <i>Associated Press</i> , January 22, 2009
136	Rick Rothacker and Christine Rexrode, "Thain Rushed Bonuses At Merrill; Payouts Made Before BofA Deal Closed Amid Certain Losses, Job Cuts," <i>The Charlotte Observer</i> , January 23, 2009
137	Rick Rothacker "Thain's Exit Turns Up Heat at BofA Ex-Merrill CEO Out After Disclosures; CEO Lewis Under Increasing Pressure to Make Acquisition Work," <i>Charlotte Observer</i> , January 23, 2009
138	Merrill Lynch & Co. Inc. Quarterly Financial Report on Form 10-Q, filed May 6, 2008
139	Julie Creswell and Louise Story, "A Charmed Wall Street Career Is Derailed at Bank of America," <i>New York Times</i> , January 23, 2009

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
140	Rebuttal Report of Chad Coffman, CFA, September 26, 2011
141	Excerpts from the Deposition of Allen Ferrell, dated May 22, 2012
142	Exhibit 7 to the Expert Report of Allen Ferrell, dated March 16, 2012
143	Dan Fitzpatrick, Susanne Craig, and Deborah Solomon, "USA Inc.: In Merrill Deal, U.S. Played Hardball," <i>Wall Street Journal</i> , February 5, 2009 (BAC-ML-CL00061586-587)
144	Reply Memorandum of Law in Support of the Individual Bank of America Defendants' Motion to Dismiss the Consolidated Shareholder Derivative and Class Action Complaint ("Federal Derivative Action"), dated March 25, 2010 (ECF No. 214)
145	Answer of the Outside Directors to the Amended Complaint in the Federal Derivative Action, dated October 18, 2010
146	Expert Report of Professor Anil Shivdasani, dated April 9, 2012
147	Bank Defendants' Objections and Responses to Lead Plaintiffs' Second Set of Interrogatories to Defendants, dated May 14, 2012
148	Excerpts of Bank of America Corp. 2008 Annual Report on Form 10-K, filed February 24, 2009
149	Plaintiffs' Supplemental Responses and Objections to Bank of America Corporation's Second Set of Interrogatories, dated May 14, 2012
150	Lead Plaintiffs' Responses and Objections to Lewis's First Set of Interrogatories, dated May 14, 2012
151	Bank of America Corp. Form 8-K, filed December 5, 2008
152	State Teachers Retirement System of Ohio's Verified Answers and Objections to Bank of America Corporation's First Set of Interrogatories, dated September 6, 2011
153	Ohio Public Employees Retirement System's Amended Verified Answers and Objections to Bank of America Corporation's First Set of Interrogatories, dated September 15, 2011

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
154	Teacher Retirement System of Texas' Verified Answers and Objections to Bank of America Corporation's First Set of Interrogatories, dated September 6, 2011
155	Answers and Objections to Stichting Pensioenfonds Zorg En Welzijn represented by PGGM Vermogensbeheer BV to Bank of America Corporation's First Set of Interrogatories, dated September 6, 2011
156	Fjärde AP-Fonden's Answers and Objections to Bank of America Corporation's First Set of Interrogatories, dated September 6, 2011
157	Grant Mitchell's Answers and Objections to Bank of America Corporation's First set of Interrogatories, dated September 6, 2011
158	Plaintiffs' Exhibit 397 (BAC-502-WLRK 00002131-133)
159	Excerpts from the Deposition of Chad Coffman, dated October 14, 2011
160	Louise Story and Eric Dash, "What Goes Around," <i>New York Times</i> , December 19, 2008
161	"WSJ BLOG/Deal Journal: Why So Quiet At Merrill, Dresdner?," <i>DowJones Newswire</i> , December 19, 2008
162	Jill Treanor and James Robinson, "Business & Media: Anger over £ 6.4bn bonus bonanza at four City banks," <i>The Observer</i> , December 21, 2008
163	Michael Flaherty, "Asia Bankers Brace for Job Cuts," <i>New York Times</i> , December 23, 2008
164	Michael Flaherty, "Job Axe Hangs over Investment Bank in Asia," <i>Reuters</i> , December 23, 2008
165	Michael Flaherty, "Jobs Axe Hangs over Investment Banks in Asia," <i>HedgeWorld Daily</i> , December 23, 2008
166	Greg Farrell, "Merrill's Troubles Anger BofA," <i>Financial Times</i> , January 16, 2009
167	Vesna Poljak, "Bonus blues at Investment Banks," <i>Australian Financial Review</i> , January 20, 2009
168	Plaintiffs' Exhibit 299 (BAC-ML-NYAG10038625)

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
169	Excerpts from the Deposition of Gary Carlin, dated January 23, 2012
170	James Doran, "The party's over as US government seizes control of Citigroup expenses," <i>Guardian</i> , January 1, 2009
171	Expert Report of Chad Coffman, CFA, dated August 29, 2011
172	Letter from Mitchell Lowenthal, Esq. to counsel for Lead Plaintiffs dated October 26, 2011
173	Excerpts from Deposition of Kenneth Lewis in the New York Attorney General Investigation <i>In re: Executive Compensation Investigation Bank of America - Merrill Lynch</i> , dated February 26, 2009
174	BAC-502-SS 00082986-3084 (Email from Ross Fieldston to Teresa Brenner, et al., dated September 20, 2008)
175	Plaintiffs' Exhibit 238 (BAC-ML-NYAG 80088736-742)
176	Plaintiffs' Exhibit 235 (BAC-ML-NYAG10003552-555)
177	Plaintiffs' Exhibit 543 (BAC-ML-NYAG00817459)
178	Plaintiffs' Exhibit 12 (BAC-ML-NYAG70303319-462)
179	Bank of America Corp. Form S-3 Registration Statement Under The Securities Act of 1933, filed May 5, 2006
180	Bank of America Corp. Form 424(b)(5), filed October 9, 2008
181	Plaintiffs' Exhibit 199 (BAC-502-WLRK 00180773-776)
182	Excerpts from the Deposition of Teresa Brenner, dated December 13, 2011
183	Merrill Lynch & Co., Inc. Proxy Statement on Form DEF14A, filed November 3, 2008
184	Plaintiffs' Exhibit 95 (BAC-502-WLRK 00187636-728)
185	Plaintiffs' Exhibit 97 (BAC-ML-NYAG-502-00005618)

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
186	Excerpts from the Deposition of Kenneth Lewis in <i>In re Bank of Am. Corp. S'holder Derivative Litig.</i> , dated March 6, 2012
187	Excerpts from the Deposition of Nelson Chai, dated March 8, 2012
188	Plaintiffs' Exhibit 197 (BAC-ML-NYAG00017725-747)
189	Plaintiffs' Exhibit 274 (BAC-ML-NYAG70144492-493)
190	Excerpts from Merrill Lynch & Co., Inc. Form 10-Q, filed November 5, 2008
191	BAC-ML-NYAG00018633-939 (Email from Nancy Meloth to Neil Cotty, et al. re 2009 Budget and Back up files, dated November 21, 2008)
192	Excerpts from the Deposition of Nicholas Demmo in <i>In re Bank of Am. Corp. S'holder Derivative Litig.</i> , dated January 13, 2012
193	Plaintiffs' Exhibit 568 (BAC-SEC-LIT00177201-218)
194	Merrill Lynch & Co., Inc. Form 10-Q, filed August 8, 2008
195	Plaintiffs' Exhibit 133 (BAC-ML-NYAG00003809-UR-830-UR)
196	Excerpts from the Deposition of Monica Lozano in <i>In re Bank of Am. Corp. S'holder Derivative Litig.</i> , dated July 7, 2011
197	Excerpts from the Deposition of Thomas Ryan in <i>In re Bank of Am. Corp. S'holder Derivative Litig.</i> , dated October 6, 2011
198	Excerpts from the Deposition of David Moser, dated December 7, 2011
199	Plaintiffs' Exhibit 241 (BAC-ML-NYAG10106372)
200	Excerpts from the Deposition of Christopher Hayward, dated November 21, 2011
201	Plaintiffs' Exhibit 395 (BAC-502-WLRK 00000778-779)
202	Plaintiffs' Exhibit 34 (BAC-ML-NYAG00053726-727)
203	Plaintiffs' Exhibit 491 (BAC-ML-NYAG00296795-809)

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
204	Plaintiffs' Exhibit 11 (BAC-ML-NYAG10006600-613)
205	Plaintiffs' Exhibit 265 (BOA Sec. Lit. - FRB000210-211)
206	Plaintiffs' Exhibit 340 (BAC-502-WLRK 00051726-951)
207	Plaintiffs' Exhibit 77 (BAC-DIR-SDNY00000235-236)
208	Excerpts from the Deposition of Jeffrey Brown, dated February 15, 2012

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29th day of June, 2012 in New York, New York.

/s/ Hannah G. Ross  
Hannah G. Ross